

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

UNITED STATES OF AMERICA

VS.

KENNETH OBYREN WHITEHEAD,

Supervised Releasee

NO. 5: 05-CR-24 (HL)

RE: SUPERVISED RELEASE VIOLATION**ORDER**

KENNETH OBYREN WHITEHEAD, a **SUPERVISED RELEASEE** in the above-styled criminal proceeding, this day appeared before the undersigned for a hearing under provisions of Rule 32.1 of the Federal Rules of Criminal Procedure. He was advised of the nature of the proceedings against him and of his legal and constitutional rights. With the assistance of legal counsel, said **SUPERVISED RELEASEE** waived a preliminary hearing under Rule 32.1(b)(1) of the *Rules* and agreed that a **FINAL** hearing could be scheduled under Rule 32.1(b)(2).

Upon consideration of the government's [oral] motion seeking detention of the **SUPERVISED RELEASEE** pending his Final Revocation Hearing, and in light of the provisions of 18 U.S.C. §3143(a), the court finds that release from custody at this time is inappropriate in this case. Allegations against Mr. Whitehead include failing to register as a sex offender and failing to take his daily psychotropic medication as directed. He has an extensive history of being institutionalized for mental problems. In the view of the undersigned, he poses a very serious threat to the safety of the community.

Accordingly, IT IS ORDERED AND DIRECTED that KENNETH OBYREN WHITEHEAD be **DETAINED** by the United States Marshal until further order of the court. While held in custody, said **SUPERVISED RELEASEE** shall be afforded reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility wherein he is confined shall deliver him to the United States Marshal for the purpose of an appearance in connection with this court proceeding. Said **SUPERVISED RELEASEE** shall appear before the Honorable Hugh Lawson, district judge, for a **FINAL HEARING** as directed by Judge Lawson. The Clerk of Court is directed to forward this order and the within file to Judge Lawson for the scheduling of said **FINAL HEARING** at the earliest possible time.

SO ORDERED AND DIRECTED, this 6th day of JANUARY, 2009.



A handwritten signature in black ink, reading "Claude W. Hicks, Jr." with a stylized flourish at the end.

CLAUDE W. HICKS, JR.
UNITED STATES MAGISTRATE JUDGE